IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 22ND NOVEMBER 2006 / 1ST AGRAHAYANA 1928

WP(C).No. 20113 of 2003(T)

PETITIONER:

P.KRISHNANKUTTY, S/O. PONNAN,
AGED 42 YEARS, GOVERNMENT CONTRACTOR,
RESIDING AT CHIRATHALA VILA VEEDU,
SIVAN KOIL ROAD, BALARAMAPAURAM, TRIVANDRUM.

BY ADV. SRI.J.S.AJITHKUMAR

RESPONDENTS:
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1. **THE EXECUTIVE ENGINEER,**
   ASSEMBLY BUILDING DIVISION, KERALA LEGISLATIVE COMPLEX, PALAYAM, TRIVANDRUM.

2. **THE SECRETARY,**
   TET COS LTD. NO.Q.1012, KOLLAM.

3. **STATE OF KERALA,**
   REPRESENTED BY THE CHIEF SECRETARY,
   SECRETARIAT, TRIVANDRUM.

BY ADV. SRI.SHOBY K.FRANCIS

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.20113/2003 T

ORDER ON C.M.P.NO.6713/2003 IN WP(C)NO.20113/2003 T

DISMISSED

22/11/2006 **SD/- KURIAN JOSEPH, JUDGE**

/TRUE COPY/

Kss

KURIAN JOSEPH, J.

W.P. (C). NO. 20113 OF 2003

Dated this the 22nd day of November, 2006

J U D G M E N T

The original petition is filed mainly with the following prayer:-

> "(i) To issue a writ of certiorari call for the records leading to the records upto the awarding of work No.DB61/166/91 to the 2nd respondent pursuant to the tender dated 25.4.2003 for the construction work of retaining wall at the collapsed portion on the south side of Administrative building and quash the same."

There is also a challenge on the tender conditions. Since the 1st prayer itself has become infructuous, it is not necessary for this Court to consider this writ petition on merits at the instance of the petitioner. However, it is made clear that in view of the public interest aired by the petitioner, the petitioner may approach the 3rd respondent. In the event of the petitioner thus approaching the 3rd respondent, the matter will be duly examined by the 3rd respondent. The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE

vps

KURIAN JOSEPH, JUDGE

WPC NO.20113/03

JUDGMENT

22nd NOVEMBER, 2006